

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

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**In Re:**

**Case No. 13-24699-SVK**

**EDWARD AND SHANNON OSTRAND  
Debtors.**

**Chapter 13**

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**NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN**

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Edward and Shannon Ostrand have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue, Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Ryan Blay  
Lakelaw  
6905 Green Bay Road, Suite 101  
Kenosha, WI 53142  
262-694-7300  
262-694-7301 (fax)  
[rblay@lakelaw.com](mailto:rblay@lakelaw.com)  
State Bar No. 1076006

You must also mail a copy to:

Ryan Blay  
Lakelaw  
6905 Green Bay Road, Suite 101  
Kenosha, WI 53142

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

### **REQUEST TO MODIFY CHAPTER 13 PLAN**

1. The Proponent of this modification is:

☒ the Debtors;  
☐ the Chapter 13 Trustee (post-confirmation modifications only);  
☐ the holder of an unsecured claim () (post-confirmation modifications only)

2. This is a request to modify a Chapter 13 Plan (Select A or B):

A. ☐ post-confirmation

B. ☒ pre-confirmation (select i. or ii.);

i. ☐ Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or

ii. ☒ Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: See attached creditor mailing matrix

3. The Proponents wish to modify the Chapter 13 Plan to do the following:

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(a) Amend Section 2 to read that the Debtors shall pay the total amount of \$26,700 by paying \$215 per month by direct payments for 60 months.

The plan will adjust as per Section 10.

(b) Amend Section 5(B) to note the filed IRS priority claim as \$12,169.47

(c) Reduce the claim amount of Genisys Credit Union to an estimated total amount paid through plan of \$2,100.

(d) Amend Section 7 to reflect that the Trustee will pay to the creditors will allowed general unsecured claims a pro rata share of \$0 or 0%, whichever is greater

(e) Amend special provision 4 to note that payments shall increase from \$215 to \$675 commencing with the October 2015 payments after Ms. Ostrand's 401K loan is completed

4. The reasons for the modifications are to accurately step up the payment after the 401K loan ends; to submit a feasible payment amount in light of the amended Schedule I filed 6-4-13, and to reflect an accurate number for the IRS proof of claim.

5. Select A. or B.

A. The Chapter 13 Plan confirmed on \_\_\_\_\_ is modified as follows:

B. The unconfirmed Chapter 13 plan filed on April 15, 2013 is modified as follows: See Section 3

All remaining items and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

**6. BY SIGNING BELOW, THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING**

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**TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE  
PROPOSED MODIFICATIONS.**

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated June 4, 2013 at Kenosha, Wisconsin

LAKELAW

By: : \_\_\_\_\_/s/ Ryan Blay\_\_\_\_\_

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**CERTIFICATE OF SERVICE**

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The undersigned attorney swears under penalty of perjury that the above Motion to Modify Plan was sent via CM/ECF Electronic notice to the Office of the United States Trustee the Chapter 13 Trustee Mary Grossman, and to Attorney Jay Pitner, Gray & Associates, LLP on the date below. He further swears under oath that a copy of the Motion to Modify Plan was submitted via United States Mail, First Class, Postage Pre-Paid from Kenosha, WI to the following parties on the date below:

See attached creditor mailing matrix

Dated June 4, 2013 at Kenosha, Wisconsin

By: \_\_\_\_/s/ Ryan Blay\_\_\_\_\_

Attorney Ryan Blay

State Bar No. 1076006

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